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July 2, 2003

Chairman Michael Powell
Commissioner Kathleen Abernathy
Commissioner Jonathan Adelstein
Commissioner Michael Copps
Commissioner Kevin Martin
FEDERAL COMMUNICATIONS COMMISSION
445 12th Street S.W. -- The Portals
Washington, DC 20554

**RE: Petition For Rulemaking To Initiate Competitive Comparison Of
Kahn Communications' COMPATIBLE AM DIGITAL RADIO With
Ibiquity's IN BAND ON CHANNEL (IBOC) AM DIGITAL RADIO**

Dear FCC Commissioners:

11 of the 12 undersigned parties -- THE AMHERST ALLIANCE, a nationwide citizens' advocacy group for media diversity, plus 1 licensed LPFM station, 2 recent applicants for LPFM licenses, 3 Part 15 broadcasters and 4 concerned citizens -- are also signatories of the October 25, 2002 Petition For Reconsideration in Docket 99-325. The 12th signatory is WADA, a classic country full power station in Shelby, North Carolina.

The referenced Petition For Reconsideration asserts that the FCC's "interim" approval of In Band On Channel (IBOC) Digital Radio broadcasting was procedurally premature, for various reasons. Since the Petition was filed on October 25, IBOC broadcasts have caused considerable interference with other radio stations -- especially, but not exclusively, on the AM Band.

Fortunately, we have also identified a proposal which *might* solve *part* of the IBOC interference problem: a January 27 Petition For Rulemaking, amended on April 5, by Leonard Kahn, P.E. of Kahn Communications.

The Kahn Petition requests comprehensive Commission testing and evaluation of COMPATIBLE AM DIGITAL (CAM-D): a new technology, developed and announced by Mr. Kahn's New York State electronics firm, for providing Digital Radio on the AM Band. Pending completion of the testing and evaluation process, the same Petition advocates a stay of the Order, on October 11, 2002, that authorized "interim" IBOC broadcasts.

Speaking for ourselves, we would go farther.

All of us would seek, and indeed most of us have already sought, comprehensive testing and evaluation of *all* potential alternative technologies for Digital Radio -- including CAM-D, Digital Radio Mondiale (DRM) and Eureka-147. We stress that remedial action is needed on *the FM Band* as well as the AM Band -- whether that remedial action takes the form of replacing IBOC FM with DRM or Eureka ... mandating major improvements of the IBOC FM technology ... or simply remaining with Analog Radio for FM broadcasts, until and unless an acceptable Digital Radio alternative is found or developed.

In the meantime, however, the Kahn Petition could serve as a productive *starting point* for a broader reconsideration of current Digital Radio mandates. We continue to support a stay of the "interim" IBOC Order, during this period of reconsideration -- or, at least, a "grandfathering" of current IBOC stations plus a moratorium on the startup of new ones.

We would have filed this statement of support in the Docket for the KAHN PETITION, as amended, *but* the Petition has not yet been Docketed and noticed for public comment. Instead, it remains in limbo in the PRM03MB section of the FCC's Electronic Comment Filing System (ECFS).

We are writing to you as individual Commissioners because that is the only option currently available for expressing, On The Record, our support for action on the amended Kahn Petition.

Please begin *the process* of considering the April 5, 2003 amended Kahn Petition, and/or the October 25, 2002 Petition For Reconsideration in Docket 99-325, so that the FCC can formulate a timely and constructive response to the mounting evidence of major interference from IBOC transmissions.

Respectfully submitted,

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CC: *Leonard Kahn, P.E.*

FCC Docket 99-325